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7 Attorney for Plaintiff(s)

8 Pomo Nation, Pomo Nation

9 Environmental Association and Leona Williams

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11 LAW OFFICES OF CHRISTOPHER J. NEARY

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15 Attorney for Defendants

16 U.S. Alchemy Corporation, dba Ukiah Auto

17 Dismantlers and Wayne Hunt

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 Case No.: C 07 2648 SI

21 Pomo Nation, Pomo Nation

22 Environmental Association, and Leona

23 Williams,

24 Plaintiffs,

25 and

26 Ukiah Auto Dismantlers, Wayne Hunt, Isabel

27 Lewright, Warrior Industries, Inc., Richard

28 Mayfield, Ross Junior Mayfield, Paula

Mayfield, Kenneth Hunt, U.S. Alchemy

Corporation, and DOES 1-10, Inclusive.

Defendants.

The parties in the above-entitled action jointly submit this joint

Management Statement.

Case No.: C 07 2648 SI

Joint Case Management Statement

Joint Case Management Statement Case No.: C (17 2648 SI 2

The parties have met and conferred via telephone on February 7, 2008 and reached agreement on confirmation as to divorce of defendants Isabel Lewright on Wayne Hunt, and discovery calendar. Plaintiff counsel advised defense counsel as to Kennac Corporations anticipated report.

Plaintiff also advised defense counsel that a second meeting between members of the Pimoleville Pomo Nation Tribal Council would take place the evening of February 8, 2008 and unless a settlement is reached plaintiff would not grant further extensions on answering complaint to defendants Mayfield et al, (Mayfield et al is represented by Hans Herb, ESQ.).

**DESCRIPTION OF THE CASE**

**1. A brief description of the events underlying the action:**

**Plaintiffs contend:**

**Plaintiffs:** All issues as per original case management statement filed on December 11, 2007.

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1 Defendants U.S. Alchemy Corporation, dba Ukiah Auto Dismantlers and Wayne Hunt

2 Advise that there are no changes of position since the filing of the last Case Management  
3 Conference Statement in November 2007.

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8 2. The principal factual issues which the parties dispute:

9 Plaintiffs:

10 Plaintiffs: All issues as per original case management statement filed on December 11,  
11 2007.

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18 3. The principal legal issues which the parties' dispute:

19 Plaintiffs: All issues as per original case management statement filed on December 11,  
20 2007.

**Defendants: No Change**

**The other factual issues which remain unresolved for the reason stated below and how the parties propose to resolve those issues:**

Plaintiff was unable to verify through public records that defendant Isabel Lewright is in fact divorced from defendant Wayne Hunt. Plaintiff agreed to dismiss Lewright on the understanding that plaintiffs and Lewright had no marital community interest in the business Ukiah Auto Dismantlers. Defense counsel agreed in telephone meet and confer with plaintiff counsel on February 7, 2008, to produce verification of said divorce or transfer of the property by the date of the Case Management Conference. If divorce is verified to have taken place, or the property transferred by the spouse to the husband before issues on defendant liability accrued than plaintiff will dismiss Lewright.

## **DISCLOSURES**

Joint Case Management Statement

Case No.: C 07 2648 SI

Joint Case Management Statement  
Case No.: C 07 2648 SI  
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9. The parties certify that they have made the following disclosures:

A. Plaintiffs Initial Disclosure of persons:

Names/Identities of Individuals Likely to Have Discoverable Information: N/A

B. Defendant's Initial Disclosures of persons: N/A

C. Plaintiffs Initial Disclosure of documents:

Plaintiff is waiting on final report from Joaquin A. Wright of Kennec, Inc. On January 8<sup>th</sup> 2008 a site visit took place on the parameter of UAD for storm water sampling and site observation.

Report is anticipated to be available to plaintiff on February 12, 2008.

Documents/Things Supporting Plaintiff's Claims:

Plaintiff has agreed to respond to defendants special interrogatories Set One and request for production of documents Set One by February 11, 2008.

D. Defendants Initial Disclosure of documents: Defendants have made its Initial

Disclosure of Documents to Plaintiff.

H. Defendant Initial Disclosure of insurance agreements:

Defendant will provide insurance documents by March 1<sup>st</sup> 2008, although preliminarily it discloses that there are no insurance policies in place to cover the claims of Plaintiffs.

### DISCOVERY

10. The parties agree to the following discovery plan:

Parties have agreed depositions on Wayne Briley of Mendocino County Environment Planning and Richard Azevedo of the California Regional Water Quality Control Board will take place on February 26, 27, 2008. Plaintiff will be propounding fact discovery through February and March

Dated: February 8, 2008

Michael S. Biggs (SBN. 237640)  
BIGGS LAW PC

Attorney for Plaintiffs  
Pinoleville Pomo Nation, Pinoleville Pomo Nation

Joint Case Management Statement

Case No.: C 07 2648 SI

Case No.: C 07 2648 SI

Joint Case Management Statement

*[Large blank area for case management statement]*

Honorable Susan Illston  
United States District Judge

Dated: \_\_\_\_\_

The Case Management Statement and Proposed Order is hereby adopted by the court as the Case Management Order for the case and the parties are ordered to comply with this Order. In addition the court orders:

**CASE MANAGEMENT ORDER**

PO Box 454  
Petaluma, CA 94953-0454  
Telephone: (707) 763-8000  
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Dated: February 8, 2008  
Christopher J. Neary (SBN. 69220)  
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